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**Minutes of the Regular Meeting
Denali Borough Planning Commission
Tri-Valley Community Center
October 21, 2014**

1) Call to Order

The planning commission regular meeting was called to order at 7:33 PM.

2) Roll Call

Planning Commissioners present were Patricia GRIGGS, Steve JONES, Ryan JUSCZAK, Mark MENKE, Baxter MERCER, and Kesslyn TENCH. Lee LIGHTFOOT and Sid MICHAELS informed the office that they would be unable to attend the meeting.

Patricia GRIGGS nominated Kesslyn TENCH to act as presiding officer of the October meeting; Baxter MERCER seconded. There were no further nominations. The VOTE, to have Kesslyn TENCH serve as acting-presiding officer, was unanimous.

3) Public Comments

Tim Venechuk of Healy, Alaska

Mr. Venechuk informed the commission he was present to respond to any questions that might arise on two of the plats before the commission.

4) Approval of Agenda

Ryan JUSCZAK MOVED to approve the agenda; Patricia GRIGGS seconded. Baxter MERCER MOVED to amend the agenda by adding Under Correspondence the following items:

- Tim Venechuk letter to the assembly addressing the proposed amendment to Chapter 9.10 Vacation of Easements: Public Notice,
- Department of Transportation (DOT) Parks Highway Rest Areas Design Study Report,
- LNG – Project Update, and
- Department of Natural Resources (DNR) Wind Power Projects proposed regulation changes.

Patricia GRIGGS seconded the motion. The VOTE to amend the agenda PASSED unanimously. The VOTE to approve the amended agenda PASSED unanimously.

5) Approval of Minutes

Patricia GRIGGS MOVED to approve the September 16, 2014 Worksession, Public Hearing, and Regular Meeting minutes; Ryan JUSCZAK seconded. The VOTE to approve the September minutes PASSED unanimously.

6) Correspondence

- Tim Venechuk letter to the assembly addressing the proposed amendment to Chapter 9.10 Vacation of Easements: Public Notice

Mr. Venechuk commented that a requirement that utility companies must sign-off on a final plat that vacates a utility easement (F6) is redundant if the borough has received and has on file letters of non-objection to the vacation from the utilities. This issue is before the assembly, which is working on modifying some of the language, but is open to receiving input from the office and the commission.

Steve JONES MOVED to ask the mayor to inform the assembly that the commission supports Mr. Venechuk's solution to F6, to ensure that letters of non-objection to the vacation of a utility easement are on file with the borough and that the plat note (signature of the utility company on the final plat) is not necessary, and that is the way the commission would like to see the assembly go; Baxter MERCER seconded. A discussion noted that Fairbanks North Star Borough (FNSB) treats utility and access easements differently. FNSB uses a quick plat process whereby utility easements held by utility companies

1 can be signed-off by their planning department as long as there are letters of non-objection from the
2 utilities. The VOTE to ask the mayor to convey the commission's stand on this issue PASSED unanimously.
3

- 4 • Department of Transportation (DOT) Parks Highway Rest Areas Design Study Report
5 There was a question as to what DOT means about keeping the rest areas open in the winter. The rest
6 areas at mile 147 and the one north of Trapper Creek are maintained via a service contract; the plowing is
7 done by DOT. It was noted that DOT was responsive to the planning commission's comments regarding
8 rest areas: keep them open all winter and provide adequate signage for the traveling public. Via the
9 report, DOT is requesting Local Planning Authority (LPA) from the borough for the "Swan Lake" rest area
10 at Mile 287 George Parks Highway.
11

12 Baxter MERCER MOVED to support the mayor in providing LPA to DOT for development of the
13 aforementioned rest area and to extend appreciation from the planning commission to DOT for being
14 responsive to their recommendations; Steve JONES seconded. The VOTE of the commission to have the
15 mayor address the above issues in his letter was unanimous.
16

- 17 • LNG – Project Update
18 The LNG and ASAP routes are virtually the same with some deviation. It appears that neither line is
19 planned for the highway route thru the National Park. Both projects are under one state agency, Alaska
20 Gasline Development Corporation (AGDC). It was proposed that the borough develop a strategy to not
21 have either pipeline cross the borough's municipal land entitlement in the Montana Creek area. AGDC has
22 cited the burden of gaining access thru the park as the reason why they are planning on the Montana
23 Creek area. If the borough has no say in where the pipeline will be situated, it should attempt to get
24 something such as access to the Montana Creek area.
25
- 26 • Department of Natural Resources (DNR) Wind Power Projects Proposed Regulation Changes
27 There was no discussion on this item.
28

29 **7) Plats and Conditional Uses**

- 30
31 1. Resolution PC No. 14-08: Plat 14-009 Vacation/Replat: George Parks Hwy. Section 24, T12S, R8W, F.M. (ASLS 88-
32 188 Tract B and ASLS 87-125 Tracts B & C). Vacate common lot lines and the 25-foot public access easements
33 associated with those lot lines and vacate the 25-foot public access easement along the George Parks Hwy.
34

35 Baxter MERCER MOVED to approve Resolution No. PC 14-08 concerning plat number 14-009; Ryan JUSCZAK
36 seconded. Mark MENKE requested to be recused from the discussion and vote on this issue; the commission
37 unanimously agreed to his recusal. Baxter MERCER MOVED to amend the resolution in the following ways:

- 38 • Delete from the title of the resolution: Also vacating the 25' access easement on the eastern property
39 boundary adjacent to the George Parks Highway,
- 40 • Delete the last sentence in the NOW THEREFOR BE IT RESOLVED clause; but retain the phrase "subject to
41 the following:",
- 42 • Correct the Plat number from 14-004 to 14-009 in the second WHEREAS clause, and
- 43 • Change the date from September 16 to October 21.

44 Steve JONES seconded. The VOTE to amend PASSED unanimously.
45

46 The ROLL CALL VOTE to approve the amended resolution PASSED unanimously, with Patricia GRIGGS, Steve
47 JONES, Ryan JUSCZAK, Baxter MERCER, and Kesslyn TENCH voting in the affirmative.
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- 1 2. Resolution PC No. 14-09: Plat 14-011 Vacation/Replat: Lignite Subdivision Section 1, T12S, R8W, F.M. Vacate the
2 common lot line and 30-foot utility easement between Lots 8B and 9C in the Lignite Subdivision and the 15-foot
3 utility easement within Lot 9C.

4 Mark MENKE requested to be recused from the discussion and vote on this issue; the commission unanimously
5 agreed to his recusal.
6

7 Baxter MERCER MOVED to approve Resolution No. PC 14-09 concerning plat number 14-011; Steve JONES
8 seconded. Baxter MERCER MOVED to amend the date from September 16 to October 21; Steve JONES seconded.
9 The VOTE to amend the resolution PASSED unanimously. The ROLL CALL VOTE to approve the amended resolution
10 PASSED unanimously, with Patricia GRIGGS, Steve JONES, Ryan JUSCZAK, Baxter MERCER, and Kesslyn TENCH
11 voting in the affirmative.
12

- 13 3. Discussion on subdividing Lot 5 Block 6 Village View SD by subtracting half an acre from Lot 5 and adding it to Lot
14 4B Block 6; vacate the property line and public utility easement along the affected area.

15 Mr. Ken Wilbert, owner of Lot 5 Block 6 in the Village View Subdivision, rose to explain the idea of subtracting
16 acreage from his lot and adding that acreage to his neighbor's, Linda Franklin, Lot 4B Block 6. Ms. Franklin had
17 previously subdivided her lot into two, but wishes to increase the size of one of the lots by adding acreage from
18 Mr. Wilbert's property. Mr. Wilbert was present to allow the commission the opportunity to voice any concerns or
19 objections to the planned subdivision of the property. The commission stated that it had no objection to the
20 proposed new, oddly shaped lots in this location because of the unique terrain. The three lots all have access from
21 Yanert Road where there are power and phone line easements.
22

23 **8) Reports**

24 a) **Mayor**

- 25 • The Denali Borough has signed a lease agreement with the Native Village of Cantwell for use of an
26 empty building located at the Cantwell Transfer Station. The purpose of the lease is to support a
27 recycling effort initiated by the village community.
- 28 • The last meeting of the MAG Board focused on continuing education with lots of presentations. At
29 the next meeting, the board will begin the process of developing recommendations to be sent to the
30 Alaska State Legislature for how municipalities will benefit from the gas pipeline and pipeline
31 construction.
- 32 • There was a meeting in Cantwell on 14(3) (c) lands. There are maps of lands that could be held in
33 trust for the community.
- 34 • The Healy Pedestrian and Safety Ad Hoc Committee held a meeting and an open house, which
35 attempted to gain public comments on identifying problem areas in the Healy area. It is hoped that
36 the committee's work will be incorporated into a Denali Borough Transportation Plan.

37 b) **Borough Planner**

38 There was no report from the planner.
39

40 **9) Communication and Appearance Requests**

41 There were no communication or appearance requests.
42

43 **10) Unfinished Business**

44 a) **Discussion of Gas Pipeline Projects(s) within the Denali Borough**

45 By unanimous consent this item was postponed to the next meeting.
46

47 b) **Draft 2 Management Plan – Panguingue B West**

48 The clerk notified the commission that some chapters within Title 4 have been on their agenda for 11 and 18
49 months with no work being accomplished on them; the items have been repeatedly postponed to the next
50 meeting. Leaving items on the agenda without working on them is a disservice to the public. The commission
51 should consider postponing these items to a date certain, perhaps after the proposed training session with the
52 Division of Community and Regional Affairs (DCRA) in February. Steve JONES MOVED to postpone items B, C,

1 D, E, F, and G until the February 2015 meeting when the items will be listed on the agenda under Unfinished
2 Business; Baxter MERCER seconded. The VOTE to postpone these items until February was unanimous.
3

4 **c) Draft 3 Chapter 4.01 Definitions (Proposed)**

5 Postponed until February 2015; see 10) b) above.

6 **d) Draft 3 Chapter 4.05 Real Property Acquisition**

7 Postponed until February 2015; see 10) b) above.

8 **e) Draft 12 Chapter 4.10 Management of Borough Real Property**

9 Postponed until February 2015; see 10) b) above.

10 **f) Draft 8 Chapter 4.15 Disposal of Borough Real Property**

11 Postponed until February 2015; see 10) b) above.

12 **g) Draft 17 Chapter 4.25 Real Property Management Plan (Proposed replacement for Chapter 4.25 Classification
13 of Borough-owned Lands.)**

14 Postponed until February 2015; see 10) b) above.

15
16 **h) Draft 7 Chapter 9.15 Zoning – Proposed Amendment: Height Restrictions**

17 Steve JONES MOVED to approve the proposed amendment to Chapter 9.15 and to ask the mayor to present
18 this item along with proposed chapters 9.21 and 9.22 to the assembly; Ryan JUSCZAK seconded. The VOTE to
19 approve the proposed amendment and to have the mayor present the identified items to the assembly
20 PASSED unanimously.
21

22 **i) Draft 2 Chapter 9.15 Memo to the Assembly**

23 Steve JONES MOVED to approve the memo and to request the mayor present it to the assembly along with the
24 documents identified in 10) h); Baxter MERCER seconded. The VOTE to approve the memo and have the mayor
25 present it with the identified documents was unanimous.
26

27 **j) Comprehensive Plan Review**

28 The commission made progress on this item during the worksession and specific members volunteered to work
29 on revising certain sections of the plan. Steve JONES MOVED to postpone this item to the next worksession
30 (Chapters 1-6), public hearing, and regular meeting; Baxter MERCER seconded. The VOTE to postpone was
31 unanimous.
32

33 **k) DNR – Public and Charitable Use (Land) – Broad Pass**

34 It is up to the Denali Borough to make something happen on this issue; a proposal needs to be drafted,
35 approved, and submitted to DNR. One objective on this issue would be to partner or somehow obtain funding
36 from the Scenic Byway Corridor group and other sources. A phased project with a breakdown of dollar amounts
37 for each phase might be an approach. The State DOT gets money from the federal government for scenic byway
38 projects; DOT decides what projects get funded. By unanimous consent this item was postponed to the next
39 worksession and regular meeting.
40

41 **l) DOT – Statewide Long Range Transportation Plan**

42 This item was discussed during the worksession. Steve JONES volunteered to draft a letter from the notes he
43 brought to this meeting regarding a modified design for the Mile 231 enhancement project. JONES will work
44 with Marsha to generate a map. Baxter MERCER MOVED to have Steve Jones work on producing the
45 documents to support his idea for modifying the Mile 231 enhancement project and bring them to the next
46 meeting; Mark MENKE seconded. The VOTE to have Mr. JONES work on this project PASSED unanimously.
47

48 **m) Discussion Speer Easement across Borough Land – Slate Creek Area**

49 The mayor provided the following update: the attorney was asked to review this issue; Ms. Speer is not in
50 trespass at this time; the resolution granting an easement across borough land should be more precise in
51 spelling out a timeframe and more exact language should be used in detailing what is required on the plat; it is
52 recommended that the commission invite Ms. Speer to a meeting to address their concerns (Notice to Show

1 Cause). The mayor recommended keeping this item on the agenda and the office will produce a document for
2 the commission to review asking Ms. Speer to appear before the commission. If Ms. Speer refused to appear,
3 then she may be considered in trespass. The request for an appearance could be pushed out to 2015; Mr.
4 Gorski suggested a minimum of a 30-day period for the notice.

5
6 Baxter MERCER MOVED to postpone this item to the next meeting; Patricia GRIGGS seconded. The VOTE to
7 postpone was PASSED unanimously.
8

9 **11) New Business**

10 a) **Resolution PC 14-10 Appreciation Molly MCINLEY**

11 Steve JONES MOVED to approve the resolution; Mark MENKE seconded. The ROLL CALL VOTE to approve
12 Resolution PC1410 PASSED unanimously with GRIGGS, JONES, JUSCZAK, MENKE, MERCER, and TENCH voting
13 in the affirmative.
14

15 b) **Commission training (DCRA)**

16 Patricia GRIGGS MOVED to accept the draft training agenda produced by Ms. Diane Sam of the DCRA and to
17 propose February 21 or 28 for the Saturday training session; Baxter MERCER seconded. The VOTE to accept
18 the agenda and propose the dates stated PASSED unanimously.
19

20 **12) Public Comments**

21 There were no public comments.
22

23 **13) Commissioner Comments**

24 Patricia GRIGGS stated it was a good meeting, it was good to have public present, and there was opportunity to say
25 goodbye to Molly McKinley in person.
26

27 Ryan JUSCZAK announced that tonight would be his last meeting as a commissioner; it was a pleasure learning all the
28 juicy information. Ryan thanked the planner, Marsha, and the clerk, Linda, for doing all the work in producing the
29 packets and getting the commission the information they needed for their meetings.
30

31 Mark MENKE thanked Ms. TENCH for stepping up and serving as acting-presiding officer.
32

33 Kesslyn TENCH thanked Steve JONES for all the work he produced on the Mile 230 enhancement project.
34
35

36 **14) Time and Place of Next Meeting**

37 Patricia GRIGGS MOVED to change the November meeting from the 18th to the 11th; Baxter MERCER
38 seconded. The VOTE to change the regular meeting to NOVEMBER 11, 2014 PASSED unanimously.
39

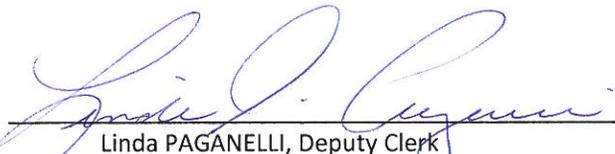
40 **15) Adjournment**

41 The Acting-Presiding Officer adjourned the October 21, 2014 Regular Meeting at: 9:34 PM.
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44 APPROVED:


Sid MICHAELS, Presiding Officer

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51 ATTEST:


Linda PAGANELLI, Deputy Clerk

Date Approved: 